

Bicarbonate, Juniper Berries, Poke Root," were false and misleading since the product did not consist entirely of the said ingredients but did consist of sodium bicarbonate and calcium carbonate with traces of sodium sulphite and formaldehyde.

On October 13, 1937, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27917. Misbranding of Cozzins New Formula for Asthma. U. S. v. 121 and 140 Packages of Cozzins New Formula for Asthma. Default decree of condemnation and destruction. (F. & D. Nos. 40022, 40023. Sample Nos. 17679-C, 17680-C.)**

The labeling of this product bore false and fraudulent representations regarding its curative or therapeutic effects.

On August 3, 1937, the United States attorney for the District of Puerto Rico, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 121 packages of Cozzins New Formula for Asthma at Mayaguez, P. R., and 140 packages at San Juan, P. R., alleging that the article had been shipped on or about May 15 and June 1, 1937, by the Cozzins Chemical Co. from Brooklyn, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analyses showed that it consisted essentially of powdered stramonium, potassium nitrate, and a small amount of anise oil.

The article was alleged to be misbranded in that the tin container, the carton, and the circular shipped with it bore false and fraudulent representations regarding its effectiveness in the treatment of asthma, hay fever, nasal catarrh, and catarrhal conditions of the mucous membrane, phthisis, and all spasmodic diseases of the respiratory system; and its effectiveness to promote free and easy expectoration, to relieve oppressive sense of suffocation, restore natural breathing, and to induce a comfortable feeling of calmness and repose.

On September 10, 1937, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27918. Adulteration and misbranding of Starks' Headache Powders. U. S. v. 146, 139, and 126 Packages of Starks' Headache Powders. Default decree of condemnation and destruction. (F. & D. Nos. 40027, 40028. Sample Nos. 35420-C, 48721-C, 48722-C.)**

The labeling of this product contained false and fraudulent curative or therapeutic claims. It also indicated that the article when used as directed, was a safe and appropriate medicine for the treatment or relief of headache and neuralgia, whereas it was not but was a dangerous drug when so used; and it failed to bear a correct statement of the quantity or proportion of acetanilid contained in the article.

On or about August 2, 1937, the United States attorneys for the Western District of Missouri and the Eastern District of Missouri filed in their respective district courts libels praying seizure and condemnation of 285 packages of Starks' Headache Powders at Kansas City, Mo., and 126 packages of the product at St. Louis, Mo., alleging that the article had been shipped in interstate commerce by Starks & Co. from Midway, Ky., between the dates of February 8 and June 10, 1937, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article contained 7 grains of acetanilid per powder, or 263 grains per avoirdupois ounce.

It was alleged to be adulterated in that its strength fell below the professed standard under which it was sold, namely, "Contain 290 Grains Acetanilide U. S. P. per Ounce," since it contained much less than 290 grains of acetanilid per ounce.

It was alleged to be misbranded in that the statement, "Contain 290 Grains Acetanilide U. S. P. per Ounce, or 6 Grains in Each Powder," was false and misleading since it contained much less than 290 grains of acetanilid U. S. P. per ounce and more than 6 grains in each powder. It was alleged to be misbranded further in that the package failed to bear on its label a statement of the quantity or proportion of acetanilid since the declaration made was incorrect. It was alleged to be misbranded further in that the statements, (container) "Headache powders \* \* \* For headache and neuralgia \* \* \* Directions.—Put a powder on tongue and take a swallow of water. Repeat in two hours if necessary. Take sparingly of food and drink. \* \* \* Contains